

**REMARKS****Status of Claims**

Claims 1-11 were pending in this application, with claim 8 being withdrawn from consideration. Claims 1, 9 and 10 have been amended, claims 3, 4, and 6 have been canceled and no claims have been newly added. Therefore, claims 1, 2, 5, and 7-11 are pending in the application and claims 1, 2, 5, 7, and 9-11 are submitted for reconsideration.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

**Election of Species**

Contrary to assertion in the office action, that none of the claims were generic, it should be noted that the office action dated April 29, 2005, indicated that claim 1 was generic and applicants reply thereto had indicated that claims 2-6 and 9-11 were also generic. Accordingly, applicants also request rejoinder of claim 8 under the provisions of 37 C.F.R. 1.141.

**35 U.S.C. § 101 Rejections**

Claims 4, 6, 9, and 10 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Applicants believe the amended claims meet the statutory requirements of 35 U.S.C. § 101.

**35 U.S.C. § 112, First Paragraph, Rejections**

Claims 4, 6, 9, and 10 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The pending claims have been amended to address the issues noted in the office action and are believed to meet the requirements of 35 U.S.C. § 112, first paragraph.

**35 U.S.C. § 112, Second Paragraph, Rejections**

Claims 4, 6, 7, 9, and 10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The pending claims have been amended to address the issues noted in the office action and are believed to meet the requirements of 35 U.S.C. § 112, second paragraph.

**Prior Art Rejections**

In the Office Action, claims 1, 5, 7, and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by German patent document 19909424 (hereafter “DE ‘424”). Claims 2-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over DE ‘424 in view of U.S. application publication no. 2003/0073534 to Oshidari et al. (hereafter “Oshidari”). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1 recites, inter alia, a brake that fixes the sun gear of the prime-mover-side double-pinion planetary gearset, which is disposed at an outer periphery of the first motor/generator. Neither DE ‘424 nor Oshidari teaches or suggests the brake as recited in claim 1. Since this recited feature is missing from the disclosure of the applied prior art, the office action fails to make a *prima facie* case of obviousness with respect to the independent claim 1.

The dependent claims are also patentable for at least the same reasons as the independent claims on which they ultimately depend. In addition, they recite additional features which are also patentable when considered as a whole.

**Conclusion**

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5414

Facsimile: (202) 672-5399

By Aaron C. Chatterjee

Richard L. Schwaab

Registration No. 25,479

Aaron C. Chatterjee

Registration No. 41,398

Attorneys for Applicants